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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
NEW JERSEY STATE  
REAL ESTATE APPRAISER BOARD

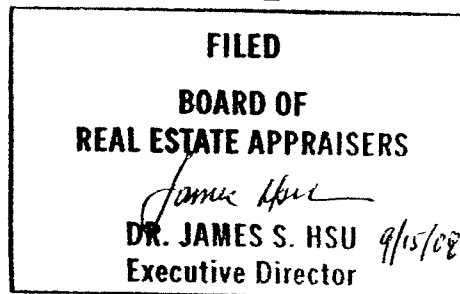
IN THE MATTER OF THE  
LICENSE OF

VANESSA BELL  
RC 00111800

TO ENGAGE IN REAL ESTATE  
APPRAISING IN THE  
STATE OF NEW JERSEY

Administrative Action

FINAL ORDER  
OF DISCIPLINE



This matter was opened to the New Jersey State Real Estate Appraiser Board ("the Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a certified residential real estate appraiser in the State of New Jersey, and has been a licensee of the Board at all times relevant hereto.
2. On or about February 11, 2008, the Board conducted a continuing education audit, asking a random sampling of its licensees for documentation of having

completed the continuing education requirements set forth in N.J.A.C. 13:40A-5.3 and N.J.A.C. 13:40A-5.4 for the 2006-2007 licensing period. The request for information was sent by regular mail to licensees at their address of record.

3. Respondent replied to the audit, indicating that she had not completed any of the 28 credit hours of continuing education courses required for the 2006-2007 licensing period, because of an inadvertent mistake.

4. Respondent certified upon respondent's renewal application for the 2008-2009 licensure renewal period that respondent had completed the continuing education requirements during the previous biennial renewal period.

5. Respondent certified upon respondent's renewal application that respondent had completed a course in the Uniform Standards of Professional Appraisal Practice (USPAP).

6. Respondent is required pursuant to N.J.A.C. 13:40A-5.3, -5.4 to have completed the equivalent of fourteen (14) classroom hours of instruction for each year during the period preceding renewal. The continuing education completed must include a seven hour USPAP course, or its equivalent.

7. The Real Property Appraiser Qualification Criteria, issued by the Appraiser Qualifications Board of the Appraisal Foundation, do not recognize any reason apart from military service or inactive status as a justifiable reason for failure to timely complete continuing education requirements.

8. Respondent still has not demonstrated successful completion of the requisite 28 credit hours of continuing education, including the seven-hour USPAP course, required for the 2006-2007 licensing period.

### CONCLUSIONS OF LAW

1. Respondent's admission to failure to timely complete all continuing education requirements constitutes a violation of N.J.A.C. 13:40A-5.3, -5.4, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

2. Respondent's certification on her renewal form that she had successfully completed the 2006-2007 continuing education requirements constitutes misrepresentation, in violation of N.J.S.A. 45:1-21(b).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on July 16, 2008, provisionally suspending respondent's appraising license, imposing a public reprimand, and a civil penalty in the amount of \$1,750.00. A copy of the Order was forwarded to respondent by certified and regular mail at her address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent replied to the Order, requesting dismissal of the Provisional Order, and indicating that she was seeking to belatedly complete the requisite continuing education. Respondent indicated that it had become difficult to comply with continuing

education requirements due to diminished business, which reduced her ability to pay for the continuing education courses. Respondent forwarded proof of successful completion of fourteen credit hours of continuing education in July of 2008.

The Board considered respondent's explanation, and noted that respondent still had not completed the requisite 28 credit hours of continuing education for the 2006-2007 licensure period, and moreover the courses that she had completed had not included the requisite USPAP update course. The Board found the mitigating information presented did not warrant modification of the proposed penalties. Timely completion of continuing education is of sufficient import to the Board's Federal monitor that it permits only military service excuses timely completion of the requirements, and keeping current and informed with regard to the profession is also of importance in and of itself. Accordingly, the Board determined that no material discrepancy had been raised with regard to the findings of fact and conclusions of law of the Provisional Order, and that the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 15<sup>th</sup> day of September, 2008,  
ORDERED that:

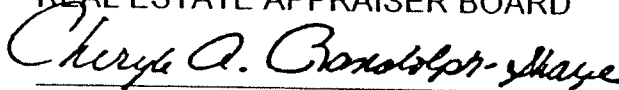
1. Respondent's appraising license is hereby suspended until she is able to demonstrate successful completion of the twenty eight (28) credit hours of continuing education for the 2006-2007 licensing period, which credits must include a national USPAP update course of a minimum of seven (7) hours.

2. A public reprimand is hereby imposed upon respondent for her violation of N.J.S.A. 45:1-21(b), (e) and (h).

3. A civil penalty in the amount of \$1,750.00 is hereby imposed upon

respondent. Payment shall be in the form of a certified check or money order, made payable to the State of New Jersey, and forwarded to the attention of Dr. James S. Hsu, Executive Director, Board of Real Estate Appraisers, P.O. Box 45032, 124 Halsey Street, 3<sup>rd</sup> Floor, Newark, NJ 07101, within twenty-one (21) days following issuance of this Order.

NEW JERSEY STATE  
REAL ESTATE APPRAISER BOARD

A handwritten signature in cursive script, reading "Cheryl A. Randolph-Sharpe", written over a horizontal line.

Cheryl Randolph-Sharpe  
Board President